

STATE OF MARYLAND

*

NO. C-10-CR-21-000535

CM

v.

*

IN THE CIRCUIT COURT FOR

NORRIS BERNARD ELLIS

*

FREDERICK COUNTY, MD

* * * * *

**NOTICE OF INTENT TO INTRODUCE EVIDENCE OF OTHER SEXUALLY
ASSAULTIVE BEHAVIOR UNDER SECTION 10-923 OF THE COURTS AND
JUDICIAL PROCEEDINGS ARTICLE**

The State of Maryland, by and through Tammy Leache, Assistant State's Attorney for Frederick County, Maryland, provides notice of the State's intent to introduce evidence of the Defendant's other sexually assaultive behavior under Section 10-923 of the Courts and Judicial Proceedings Article of the Maryland Annotated Code, and sets forth the following additional information:


1. That the Defendant is charged with First Degree Rape, First Degree Assault and Second Degree Assault in Frederick County, Maryland;
2. That at trial evidence of other sexually assaultive behavior by the Defendant occurring before or after the offense for which the Defendant is on trial is admissible at trial and will be offered to prove lack of consent;
3. That the prior sexually assaultive behavior is based upon convictions in 1983 for Second Degree Rape and Kidnapping. See attached a True Test copy of the Defendant's conviction.
4. That there is clear and convincing evidence that this other sexually assaultive behavior occurred.
5. The State will supplement a description of the evidence establishing the basis for the conviction in 1983. The State is attempting to retrieve a copy of the statement of charges

and/or police reports for that incident and will provide them as soon as they are received.

6. That this notice to the Defendant is more than 90 days before the scheduled trial date of November 28, 2022, as provided for in CJ 10-923.


7. That the State requests a hearing be set on this matter prior to the November 28, 2022 Trial date.

WHEREFORE, the State prays that this Honorable Court grant the State's Motion and set a hearing in this matter.


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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of August, 2022, a copy of the State's Notice of Intent to Introduce Evidence of Other Sexually Assaultive Behavior Under Section 10-923 of the Courts and Judicial Proceedings Article to was sent via MDEC and/or Sharefile/Citrix, a secure file sharing service, to the designated e-mail address and/or service contact for Isabelle Raquin, Esquire, the Attorney for Defendant herein.


TAMMY M. LEACHE
ASSISTANT STATE'S ATTORNEY